

Date: 3 Jan. 2018

Curry; Steven Duane ©

OCDC C-101 #38970

Alamogordo, NM (88310)

FILED

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

JAN - 8 2018

To: Matthew J. Dykman  
Clerk of Court  
US Federal District Court; Rm #270  
333 Lomas BLVD. NW  
Albuquerque, NM 87102

RE: Curry V. New Mexico, ET AL  
Federal Case No. # 2:17-CV-01079 JB-GLF (iam)

MATTHEW J. DYKMAN  
CLERK

SUBJECT: Affidavit / Notice; PETITION FOR IMMEDIATE RELEASE AND  
THE GRANTING OF AFFIANT'S SUMMARY JUDGEMENT, PURSUANT AFFIANT'S  
UNIVERSAL DECLARATION OF HUMAN RIGHTS; 28 USC 636; 42 USC 1893;  
1895(3); 1983; ETC., ETC.;

Let the Master Record show, that;

1. The Affiant is a Living-Sentient Being of the age of majority,  
he is not lost at sea, and he has not been found dead on  
the battlefield, and he is Not Incompetent, Mentally-challenged,  
a Ward of the Court, or a Ward of the State; [Corpus Juris Secundum]
2. The Affiant is of a protected class of crime victim, witness,  
and informant under 18 USC 3771, and any all acts of  
retaliation, harassment, intimidation, coercion, or placing  
the Affiant under stress, or DURESS, is a CLASS 3 FELONY;
3. The Affiant has Languished; Suffered for 102 Days in  
lawless captivity in the OCDC without having been properly  
or lawfully arraigned on false; fabricated charges; allegations  
he could not have possibly committed;
4. In addition to his injuries he sustained at the hands of David  
J. Hunter; David Sanchez, which included blunt force trauma to the  
head, strangulation, Asphyxiation, loss of vision, loss of hearing,  
loss of memory, a crushed; broken ring finger; the Affiant has

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suffered severe PTSD from the event, and he's been subjected to four episodes of flu & colds since 22 Sept. - the latest being the worst with him coughing up blood, a sign of pneumonia. - The Affiant has repeatedly requested to be transferred to a VA Hospital, where he could receive a neurological exam and treatment for his PTSD and other injuries.

5. There has been a standing order & script for a neurological exam authored by Dr. Metzger of the Las Cruces Hospital in late October. This order was presumed lost, but was being hidden & suppressed by OCDC Medical Staff, along with other exculpatory material & information that would be helpful in exonerating & acquitting the Affiant of any wrongdoing. // It has since been determined, that the head of the OCDC Mental Health Department, Joanna Varradando, is a sister of Prosecuting DA Roxanna B. Esquivel, and that Joanna, in aiding & abetting the prosecution of the Affiant, had authored the notorious "Rap Sheet" accusing the Affiant of several horrendous crimes, including the rape & murder of a 2 year old girl, and the murder of another individual! // This "Rap Sheet" was then stapled to DA Hunter's Criminal Complaint and presented to an Ad Hoc Ex Post Facto Grand Jury assembled by Esquivel on October 3, 2017! This was "Jury Tampering," pure & simple!!

6. Varradando is also responsible for the theft of Dr. James Wells' "Fit for Incarceration Script" penned on 22 Sept. without performing any such exam, and where he had mischaracterized, misrepresented, and misidentified the Affiant as one "STEPHEN CURRY, Age 58!" This script was in the Affiant's private property & affects upon his arrival at the OCDC, but was confiscated by Varradando when the Affiant was receiving care for his crushed left hand four days after his booking. This "script" is proof of Dr. Wells' malpractice & malfeasance!

7. This "Conflict of Interest" issue between Esquivel and his sister, Joanna Varradando, should be enough to have the Affiant's case dismissed with great prejudice, if the case was anywhere else outside of Otero County, N.M., or so it could be suppositioned, given Varradando has been hesitant & resistant to release the Affiant's medical records as requested. // To his credit, Mr. Blankinship has offered a Court order to the defense to force Mr. Varradando to release the Affiant's records, affidavits, and photos of the Affiant's injuries of 22 Sept., and the Affiant has also requested Mr. Bruck & Mr. Fournatt to issue a Federal Order for the release of this exculpatory evidence that would be helpful to the Affiant in proving out his assault & battery by Gutier & Sanchez!

8. Neither the State or the 12th Judicial District that has contracted to re-present the interests of the State, have produced to the record any verifiable & legitimate claim of injury that a Court could grant a remedy for, including the name of a single victim! Without a victim, there can be no injury! Without injury, there can be no crime! Without a crime, there can be no case to prosecute! With nothing to prosecute, the Court is without a dispute to mediate!!

9. Neither the State, or the private foreign 12th Judicial District, shall sanction, penalize, or punish the Affiant for his free exercise & enjoyment of his natural, unalienable, commercial, or Constitutional rights. Any such abuse is a Class 3 Felony and can be deemed Contempt of the US Supreme Court, abuse of Power & Office, and

Obstruction of Justice, and Obstruction of the Affiant's Free trade & Commerce, pursuant 15 USC 142!

10. Neither the State, or the private 12<sup>th</sup> Judicial District that has contracted to re-present the interests of the State, or those of the County, has produced the legislative Authority required to demonstrate their subject matter jurisdiction over the Living Affiant, as pursuant to the US Supreme Court order & judgment over Scott v. McPherson (1894); Panhandle v. Downes; and Hale v. Hunkel (1905); and pursuant to the nullification & voiding of Public Law 80-772 of 1948;

11. Both the State, and the private foreign 12<sup>th</sup> Judicial District that is contracted to re-present the varied interests of the State, have failed to provide the Affiant his rights of Due Process in lawfully arraigning him within 72 hours from his initial detainment & arrest. // Given the lack of jurisdiction to even read the charges against the Affiant, the Affiant cannot & shall not be subject to arraignment, given the XI Amendment prohibitions & constraints against same!

12. Given the Commercial default of Esquivel's opposing Counsel to honorably protest, argue, or rebut the facts & truths in evidence, the Affiant is entitled to his release, and to the full relief & remedy due him under Law, and under a Summary Judgment, which is now the fiduciary obligation & duty of this US District Court, & without any further sale, denial, delay, subversion, conversion, or Obstruction! // With all Law being Commercial, and with Commerce relying on Contracts,

and all Contracts being reliant on Honest Considerations & Honest Services by those seated in positions of Authority. The Affiant is entitled to all injunctive relief, remedy available to him under 18 USC 3771, and his Universal Declaration of Human Rights, and the Geneva Convention,

13. On the subject of Honest Services, the Affiant would like the record to show, that I am requesting of Mr. Brack & Mr. Fournatt that they issue a Federal Bench Warrant for ODC Staff member "MAJOR" for his willfull & malicious theft of a book of Postal Stamps that were sent to the Affiant by his wife on 12/29/2017. Given the Affiant's wife had contacted ODC & found that sending stamps was allowed, and that Major had removed these stamps before returning the letter to the Affiant's wife, Major is now charged, for the 4<sup>th</sup> time, of tampering with the Federal mail, the Affiant's Legal mail, and now his private mail. // The Affiant has submitted an official grievance against Major with Skoviff House, and a request that Major be arrested & placed in custody without bond, as tampering with the US Mail & theft of the stamps is a Rico offense!!

— It is the petition & prayer of the Affiant, that Majors be held in-jopardy in this current case, as Major has willfully & with malicious intent, withheld mail directed to this court & mail sent to the

to the Affiant by this court has been regularly disturbed & obstructed by Major in his attempts to retaliate against the Affiant! // As Major's history has shown, he has devised a monopoly over the Mail Services & Commissary Services at the CDC, and he uses his powers to sanction & punish & penalize inmates who have challenged his authority! // It is easily demonstrated that Major holds a monopoly over these services, based on the fact that when Majors chooses to take time off, there is NO Mail Service & Commissary orders are delayed! MAJORS cannot be allowed to obstruct the US Mail as he does!! PERIOD!!

In Summary; The Affiant must insist that Mr. Fournell & Mr. Brack, who are obligated & duty-bound to preserve & maintain the Supreme Laws of the land, issue a "Default-Summary Judgment" in favor of the Affiant without any further denial, delay, subversion, or obstruction! The Affiant is entitled to the full relief & remedy available to him under law, and this Court has given no reason or explanation as to why this judgment has not yet been rendered in light of the opposing counsel having left the battlefield in dishonor & disgrace!!

Do not allow Hunter & Esquibel & Varradondo's "Fruit of the Poisonous Tree" to infect the Honor of this Court!

With ALL RIGHTS RESERVED! UCC1-308 (any other Doc)

8080 1044 [88310]

To: Mathew J. Dykman  
Clerk of Court  
New York

Federal Census # 87102

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MATTHEW J. DYKMAN  
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